

George O. Richardson, III (9817)
Andrew T. Solomon (9200)
SULLIVAN & WORCESTER LLP
1290 Avenue of the Americas, 29th Floor
New York, NY 10104
(212) 660-3000
Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
160-13 JAMAICA LLC,

Plaintiff,

-against-

CLEAR WIRELESS LLC,

Defendant.
-----X

Case No.: CV11-00792

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

I, Susan Larkin, being duly sworn, deposes and says:

1. I am over 18 years of age, a resident of New York County, and not a party to this action.
2. On February 17, 2011, I served a copy of the attached Notice of Filing of Notice of Removal on Jeffrey A. Miller, Esq., attorney for the plaintiff, at 1201 RXR Plaza, Uniondale, New York 11556, by US Mail.
3. Also on February 17, 2011, I caused a copy of the attached Notice of Filing of Notice of Removal, to be filed with the Clerk of the Court, Supreme Court, Nassau County, 100 Supreme Court Drive, Mineola, New York 11501.



SUSAN LARKIN

Sworn to before me this
17th day of February 2011



Notary Public

WENDY J. VASELL
Notary Public, State of New York
No. 01VA6138466
Qualified in Queens County
Commission Expires Dec. 19, 2013

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
160-13 JAMAICA LLC,

Plaintiff,

-against-

CLEAR WIRELESS LLC,

Defendant.
-----X

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Index No. 11-002180

**NOTICE OF FILING OF
NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that on February 17, 2011, defendant Clear Wireless LLC timely filed a Notice of Removal of this action from the Supreme Court of the State of New York, County of Nassau, to the United States District Court for the Eastern District of New York. A copy of the Notice of Removal, without the attachments, is attached hereto.

Pursuant to 28 U.S.C. § 1446(d), this Court shall proceed no further in this matter unless and until this action is remanded.

Dated: New York, New York
February 17, 2011

SULLIVAN & WORCESTER LLP

By:



Andrew T. Solomon

George O. Richardson, III

1290 Avenue of the Americas, 29th Floor
New York, NY 10104

Attorneys for Defendant

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

160-13 JAMAICA LLC,

Plaintiff,

-against-

CLEAR WIRELESS LLC,

Defendant.

Case No.: CV 11-00792

NOTICE OF REMOVAL

TO:

THE CLERK OF THE UNITED STATES
DISTRICT COURT FOR THE EASTERN
DISTRICT OF NEW YORK:

Defendant Clear Wireless LLC, by and through its undersigned attorneys, hereby files this Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 to remove this case from the Supreme Court of the State of New York, County of Nassau, to the United States District Court for the Eastern District of New York. The grounds for removal of this action are as follows:

1. Plaintiffs commenced this action, *160-13 Jamaica LLC v. Clear Wireless, LLC*, Index No. 11-002180 (Sup. Ct. Nassau County), with the filing of a Summons and Verified Complaint on February 14, 2011 (the "Verified Complaint"). A copy of the Verified Complaint,

1332(c)(1), that makes Clear Wireless LLC a dual citizen of Delaware and the State of Washington, which is completely diverse from the plaintiff's citizenship.

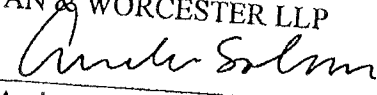
7. In the Verified Complaint, plaintiff seeks to stave off the termination of a lease that, if not terminated, would generate lease payments of more than \$2.2 million, well in excess of the \$75,000 jurisdictional minimum.

8. This Notice is filed without waiver of or prejudice to the rights, defenses and positions of the defendant in the action, and is not an acknowledgement that defendant is liable to plaintiff in an amount in excess of \$75,000, or in any other amount.

Dated: New York, New York
February 16, 2011

SULLIVAN & WORCESTER LLP

By:


Andrew T. Solomon (9200)
e-mail: asolomon@sandw.com

George O. Richardson, III (9817)
e-mail: grichardson@sandw.com

1290 Avenue of the Americas, 29th Floor
New York, NY 10104
(212) 660 - 3000

Attorneys for Defendant